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Joe
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8 DEC 1958

Department of the Army
Washington 25, D. C.

Attention: The Adjutant General

Dear Sir:

Your letter of 14 November 1958 states it is the intention of the Department of the Army to downgrade the classification of National Intelligence Authority Directive No. 5, dated 8 July 1946, from Top Secret to Confidential under the provisions of subsection 4(d) of Executive Order 10501.

Under the Presidential Directive of January 22, 1946, the Director of Central Intelligence was made responsible to the National Intelligence Authority and sat as a nonvoting member thereof. National Intelligence Authority Directives were issued to the Director of Central Intelligence and have been retained by the Director on a continuing basis, utilizing the Central Intelligence Group as agent for the custody of such Directives at the time of their issuance. The records of the Central Intelligence Group were transferred to this Agency by section 102(f)(2) of the National Security Act of 1947, as amended. Consequently, the Central Intelligence Agency acting for the Director of Central Intelligence is the possessor of the National Intelligence Authority Directives within the meaning of paragraph 4(d) of Executive Order 10501.

In accordance with the provisions in section 102(d) of the National Security Act of 1947, as amended, the National Security Council has continued to exercise the jurisdiction in the field of intelligence previously exercised by the National Intelligence Authority, which was abolished by section 102(f)(1) of that act.

The National Security Council has issued Directives, one of which currently covers certain of the material contained in the National Intelligence Authority Directive No. 5, which material is classified Top Secret. This Agency is of the opinion, therefore, that National Intelligence Authority Directive No. 5 is still properly classified Top Secret and should not be downgraded. In this connection, it should be noted that the Director of Central Intelligence is charged by statute with responsibility for protection of intelligence sources and methods from unauthorized disclosure (Sec. 102(d)(3), National Security Act of 1947, as amended).

The subject matter of the Directives referred to above is of concern to all components of the intelligence community as well as to the Director of Central Intelligence and the National Security Council. Consequently, if the Department of the Army wishes to pursue the matter of downgrading the classification of National Intelligence Authority Directive No. 5, a request should be addressed to the Director of Central Intelligence to place the matter on the agenda of the United States Intelligence Board for determination and report to the National Security Council.

Sincerely,

SIGNED

[Redacted]
Classification Control Officer

STAT

OGC:LRH:jeb

cc: Director of Security

CIA Classification Control Officer w/incoming ltr
General Counsel

✓Executive Officer, DCI

Executive Secretary, USIB

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